

S.B.CIVIL WRIT PETITION NO.5086/2006

Smt.Sumitra Choudhary
V.
State of Rajasthan & Ors.

Date of Order :: 7th November, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. D.S.Beniwal, for the petitioner.
Mr. B.L.Tiwari, Dy.Govt.Advocate.

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The controversy involved in this petition for writ is no more res integra in view of the judgment of this Court in the case of Smt.Neetu Choudhary v. State of Rajasthan & Ors., reported in 2005(5) RDD 1144 (Raj.).

The petitioner was also employed as an Additional Health Worker (Female) on urgent temporary basis and the respondents denied her maternity leave benefits. The Government of Rajasthan under its order No.F.12(1)F.II/54 dated 25.2.1955 declared temporary female government servants entitled for maternity leave. In view of decision of the Government of Rajasthan the petitioner being a temporary female government servant is entitled for maternity leave under Rule 103 of the Rajasthan Service Rules, 1951.

Accordingly, this petition for writ is allowed. The respondents are directed to sanction

maternity leave to the petitioner as applied and all benefits consequential thereto be given to her within a period four months from the date a certified copy of this order is submitted by her to the competent authority.

(GOVIND MATHUR),J.

kkm/ps.